

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Bryan T. Kilpatrick
KOJI YANO, et al.)	
	:	Group Art Unit: 1797
Application No.: 10/553,977)	
	:	
Filed: October 20, 2005)	
	:	
For: SENSOR FOR DETECTING A)	
TARGET SUBSTANCE IN A	:	
FLUID)	March 5, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action dated February 6, 2009, Applicants provisionally elect to prosecute the Group I claims, namely Claims 1 to 12. The restriction requirement is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining the three groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I to III in a single application, since the three groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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